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12 BOVIS, INC. dba GOLD DUST LOUNGE

13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 CHARLES D. KLEIN,) CASE NO. C 05-1255 MHP
16 Plaintiff,)
17 vs.) STIPULATION AND [PROPOSED] ORDER
18 BOVIS, INC., a California Corporation,) TO CONTINUE CASE MANAGEMENT
doing business as GOLD DUST LOUNGE,) CONFERENCE
19 Defendants.)
20
21

22
23 On March 29, 2005, the Court entered an Order Setting Initial Case Management
24 Conference scheduling the deadline to file and serve a Case Management Statement for July 25,
25 2005 and the Case Management Conference for August 1, 2005 in Courtroom 15 at 4:00 p.m.
26 On July 8, 2005, the parties entered into an ADR Stipulation to participate in the Court's
27 mediation program under ADR L.R. 6. The parties agreed and hereby stipulate to complete this
28 mediation by September 30, 2005.

FILED

JUL 22 2005

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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1 In view of the parties agreement to mediate this action by September 30, 2005, the parties
2 hereby stipulate and respectfully request this Court to continue both (1) the deadline for service
3 and filing of the Joint Case Management Statement and Proposed Order and (2) the Case
4 Management Conference until after September 30, 2005

Good cause exists for the parties' request for a continuance because the mediation will enable the parties to seek to informally resolve this litigation before they incur further litigation expenses, including the amounts associated with preparing a Joint Case Management Statement and Proposed Order and appearing for the Case Management Conference. Moreover, while the parties intend to complete their initial disclosures on July 25, 2005, as provided by the Court's Order, the parties have also agreed and hereby stipulate to delay written discovery and depositions in this matter until thirty (30) days after the mediation is completed. Both parties have agreed to cooperate in minimizing litigation fees and expenses in an effort to resolve this matter early through mediation.

DATED: July 14, 2005

LAW OFFICES OF PATRICK R. KITCHIN

15 By: /s/ Patrick R. Kitchin
16 Patrick R. Kitchin
Attorneys for Plaintiff
CHARLES D. KLEIN

18 DATED: July 14, 2005 SEYFARTH SHAW LLP

By: Cassandra H. Carroll
William J. Dritsas
Cassandra H. Carroll
Attorneys for Defendant
BOVIS, INC. dba GOLD DUST LOUNGE

23 | IS SO ORDERED:

24
25 Dated: 7/22/2005

Marilyn Hall Patel
Marilyn Hall Patel
United States District Judge

27 A FURTHER CASE MANAGEMENT CONFERENCE IS SET FOR NOVEMBER 7, 2005 at 4:00 pm;
A JOINT STATEMENT SHALL BE FILED ONE WEEK PRIOR TO THE CONFERENCE.